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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/995,192	11/27/2001	Cary Lee Bates	ROC920010165US1	9380
42640	7590	12/17/2004		
DILLON & YUDELL LLP 8911 NORTH CAPITAL OF TEXAS HWY SUITE 2110 AUSTIN, TX 78759			EXAMINER WILSON, YOLANDA L	
			ART UNIT 2113	PAPER NUMBER

DATE MAILED: 12/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/995,192

Applicant(s)

BATES ET AL.

Examiner

Yolanda Wilson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☒ Claim(s) 10-12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 10-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Snyder et al. (USPN 6754891B1). As appears in claim 1, Snyder et al. discloses extracting a plurality of variables from a program monitored by a software debugger; allowing a user to designate a stopping point within said program and a subset of variables from said plurality of variables to be associated with said designated stopping point; during an execution of said program within said software debugger, updating values of only said subset of variables when said execution of said program stopped at said designated stopping point; and displaying said updated values of only said subset of variables in column 4, lines 5-40.

4. As per claim 2, Snyder et al. discloses wherein said stopping point is a breakpoint in column 5, lines 47-50.
5. As per claim 3, Snyder et al. discloses wherein said method further includes storing said designated stopping point and said subset of variables associated with said designated stopping point in a variable association table in column 4, lines 5-28.
6. As per claim 4, Snyder et al. discloses program code means for extracting a plurality of variables from a program monitored by a software debugger; program code means for allowing a user to designate a stopping point within said program and a subset of variables from said plurality of variables to be associated with said designated stopping point; program code means for updating values of only said subset of variables, during an execution of said program within said software debugger, when said execution of said program stopped at said designated stopping point; and program code means for displaying said updated values of only said subset of variables in column 4, lines 5-40.
7. As per claim 5, Snyder et al. discloses wherein said stopping point is a breakpoint in column 5, lines 47-50.
8. As per claim 6, Snyder et al. discloses wherein said computer program product further includes program code means for storing said designated stopping point and said subset of variables associated with said designated stopping point in a variable association table in column 4, lines 5-28.
9. As per claim 7, Snyder et al. discloses a processor; a monitor coupled to said processor; and a memory coupled to said processor, wherein said memory includes

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means for extracting a plurality of variables from a program monitored by a software debugger; means for allowing a user to designate a stopping point within said program and a subset of variables from said plurality of variables to be associated with said designated stopping point; means for updating values of only said subset of variables, during an execution of said program within said software debugger, when said execution of said program stopped at said designated stopping point; and means for displaying said updated values of only said subset of variables in column 3, lines 4-8; in column 4, lines 5-40.

10. As per claim 8, Snyder et al. discloses wherein said stopping point is a breakpoint in column 5, lines 47-50.

11. As per claim 9, Snyder et al. discloses wherein said computer system further includes a variable association table for storing said designated stopping point and said subset of variables associated with said designated stopping point in column 4, lines 5-28.

Response to Arguments

12. Applicant's arguments filed 09/20/2004 have been fully considered but they are not persuasive. Arguments concerning claims 1-9 rejected under Snyder et al. are not persuasive. Examiner would like to point out that claims 10-12 are new claims not claims 9-12 as indicated on page 6.

13. Applicant states on page 6 that 'Snyder does not teach or suggest updating values of only a subset of variables and displaying updated values of only the subset of variables as claimed.'

Examiner respectfully disagrees. Snyder et al. discloses only updating the variables that are designated for updating as disclosed in the above rejection.


Applicant states on page 6, 'Although the claimed invention is also related to an improved method for displaying debugger data to a user, the claimed invention deals with breakpoints (see Claim 2) instead of tracepoints.'

Examiner respectfully disagrees. The invention disclosed in Snyder et al. deals with both breakpoints and tracepoints as disclosed above in the rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yolanda Wilson whose telephone number is (571) 272-3653. The examiner can normally be reached on M-F (7:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoliel can be reached on (571) 272-3645. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100